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PTO/SB/18 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input type="checkbox"/> Declaration Submitted With Initial Filing <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required) OR	Attorney Docket Number	717119.336
	First Named Inventor	Johnson, John E.
	COMPLETE IF KNOWN	
	Application Number	10/604,306
	Filing Date	July 9, 2003
	Group Art Unit	3643
	Examiner Name	Not yet known

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

NEURAL CONDUIT SPINAL CORD REMOVER

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YY)

07/09/03

as United States Application Number or PCT International (if applicable).

Application Number

10/604,306

and was amended on (MM/DD/YY)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment specifically referred to above.

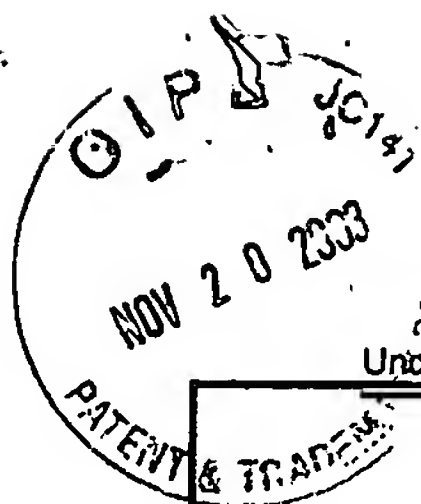
I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:					
I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.					
Application Number(s)		Filing Date (MM/DD/YYYY)		<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.	
60/394,691		07/09/2002			

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SENT TO: Assistant Commissioner for Patents, Box Design, Washington, DC 20231.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: John E. Johnson,Application No./Patent No.: 10/604,306 Filed/Issue Date: July 9, 2003Entitled: NEURAL CONDUIT SPINAL CORD REMOVERTyson Fresh Meats, Inc., a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. [x] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. [] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
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2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
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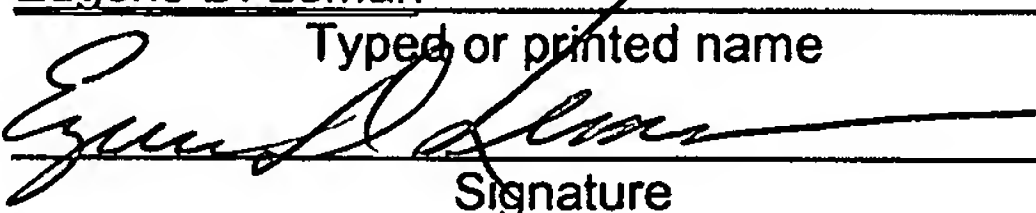
[] Additional documents in the chain of title are listed on a supplemental sheet.

- [x] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

10-14-03
Date

Eugene D. Leman
Typed or printed name

Signature
Sr. Group Vice President, Tyson Fresh Meats, Inc.
Title

COPY

PATENT
Mtr # 717119.336

ASSIGNMENT

WHEREAS, John E. Johnson, a resident of Jefferson, South Dakota, (hereinafter referred to as "Assignor"), is the inventor of a certain new and useful invention relating to a NEURAL CONDUIT SPINAL CORD REMOVER for which application for Letters Patent has been made as U.S. Provisional Patent Application No. 60/394,691 that was filed on July 9, 2002, and for which application for Letters Patent has been made as U.S. Patent Application No. 10/604,306 that was filed on July 9, 2003; and

WHEREAS, Assignor is the owner and in full possession of the entire right, title and interest in and to said invention and in and to any and all Letters Patent that may be granted therefor; and

WHEREAS, Tyson Fresh Meats, Inc., a corporation duly organized under the laws of the State of Delaware, (hereinafter referred to as "Assignee"), having its principal office and place of business at 800 Stevens Port Drive, Suite 836, Dakota Dunes, South Dakota, 57049, is desirous of acquiring the entire right, title and interest in and to said invention and in and to any and all Letters Patent that may be granted therefor; and

NOW, THEREFORE, for and in consideration of the sum of One Dollar (U.S. \$1.00) and other valuable considerations to Assignor paid by said Assignee, receipt of which is hereby acknowledged, Assignor does hereby sell, assign and transfer unto said Assignee, the entire right, title and interest in and to said invention and in and to any and all Letters Patent, both United States and foreign, that may be granted therefor, together with any and all continuations, divisions, or reissues, and Assignor does hereby authorize and request the United States

Commissioner of Patents and Trademarks to issue in accordance with this Assignment any and all Letters Patent that may be granted, either on said application or otherwise for said invention.

IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: 11/11/03

John E. Johnson
John E. Johnson

STATE OF Iowa)
) ss.
COUNTY OF Woodbury)

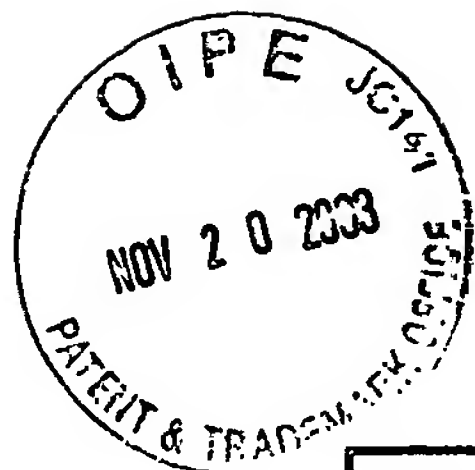
On this 11 day of November, 2003, before me, the undersigned, a Notary Public within and for the City and State aforesaid, personally appeared John E. Johnson to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

Sandra E. Mueller
Notary Public

My Commission Expires:

Sandra E. Mueller
Notary Public State of Iowa
Commission No. 715550
My Commission Expires March 14, 2005



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PTO/SB/81 (10-00)

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POWER OF ATTORNEY OR AUTHORIZATION OF AGENT	Application Number	10/604,306
	Filing Date	July 9, 2003
	First Named Inventor	Johnson, John E.
	Group Art Unit	3643
	Examiner Name	Unknown
	Attorney Docket Number	717119.336

I hereby appoint:

☒ Practitioners at Customer Number

27128

Place Customer
Number Bar Code
Label here

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Firm or
Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.7.1.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	Eugene D. Leman, Sr. Group Vice President, Tyson Fresh Meats, Inc.
Signature	
Date	10-14-03

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: ☒ Customer Number 27128 OR ☐ Correspondence address below

Name **Mark E. Stallion**

Address **Blackwell Sanders Peper Martin LLP**

Address **720 Olive Street, Suite 2400**

City **St. Louis**

State **Missouri**

ZIP **63101**

Country **US**

Telephone **314-345-6000**

Fax **314-345-6060**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle (if any)) **John E.**

Family Name
Or Surname **Johnson**

Inventor's
Signature 

Date **10/3/03**

Residence City: **Jefferson**

State **SD**

Country **US**

Citizenship **US**

Mailing Address **866 Brookside Drive**

Mailing Address

City **Jefferson**

State **SD**

ZIP **57038**

Country **US**

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle (if any))

Family Name
Or Surname

Inventor's
Signature

Date

Residence City:

State

Country

Citizenship

Mailing Address

Mailing Address

City

State

ZIP

Country

☐ Additional inventors are being named on the __ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.